

**STATE OF WISCONSIN  
DEPARTMENT OF COMMERCE**

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*In the Matter of the PECFA Appeal of*

Leander W. Schneider  
Lee's Friendly Service  
1804 Wisconsin Ave  
New Holstein WI 53061-1344

PECFA Claim # 53061-1344-04  
Hearing # 00-024

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**DISMISSAL DECISION  
LACK OF SPECIFIC DETAIL IN APPEAL**

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The appeal in this matter was filed with the department on January 20, 2000. The department filed a motion to dismiss on February 21, 2000. The undersigned has considered the motion and the supporting documents.

The administrative law judge finds that the appellant has defaulted by his/her failure to provide the statutorily required level of detail in his/her appeal per §101.02(6)(f), Stats., and failing to respond to a timely request from the department demanding a detailed appeal. The administrative law judge concludes that appellant has defaulted by his/her failure to provide the statutorily required level of detail in his/her appeal.

The administrative law judge finds that the appellant's failure to identify any issue to be heard in the appeal constitutes a waiver of objections to any irregularities and illegalities in the order upon which a hearing was sought and thereby renders the appeal moot. The administrative law judge concludes that the appeal is moot in the absence of any disputed issues.

The administrative law judge finds that no issue has been raised by the appellant for this administrative law judge to address, and therefore, the appeal does not include any subject matter falling within the administrative law judge's authority to issue a decision. This administrative law judge therefore concludes that there is no subject matter jurisdiction to hear appellant's appeal.

Pursuant to §227.46(3)(a), Stats., the administrative law judge was delegated the authority to issue a final decision if a contested case hearing is not held because of withdrawal, default, settlement, untimeliness of the appeal, mootness of the appeal, lack of subject matter jurisdiction, or lack of standing to appeal. In addition to the delegated authority, §227.44(5), Stats., gives an administrative law judge has authority to dispose of an appeal based on default.

Therefore, based on the foregoing, it is ordered that the matter herein be dismissed.

<p>This is a final decision of the Department of Commerce. You may request a rehearing pursuant to §227.49, Stats., within 20 days of the date of this decision, by sending your petition to Dennis Kozich, Chief Counsel, -basement of Commerce, P.O. Box</p>
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7970, Madison, Wisconsin 53707-7970. This decision may be appealed within 30 days of the date of this decision or the date of a decision on a request for rehearing, if any, pursuant to §227.53, Stats. The parties in interest are the Secretary, Department of Commerce, 201 West Washington Ave. 6th Floor, P O Box 7970, Madison, Wisconsin 53707-7970 and the appellant named in the appeal caption above.

Dated and mailed: March 31, 2000

Ronald I. Weisland  
Administrative Law Judge  
Department of Commerce

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